

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Roanoke Division**

MARY SHARON WALKER,)
)
)
Plaintiff,)
)
)
v.)
)
)
NEW ENGLAND COMPOUNDING)
PHARMACY, INC. d/b/a)
NEW ENGLAND)
COMPOUNDING CENTER,) Civil Action No. 7:12-cv-564
)
)
and)
)
IMAGE GUIDED PAIN)
MANAGEMENT, P.C. d/b/a)
INSIGHT IMAGING ROANOKE,)
)
)
Defendants.)

**IMAGE GUIDED PAIN MANAGEMENT, P.C.'S
MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

COMES NOW Defendant Image Guided Pain Management, P.C. d/b/a Insight Imaging-Roanoke (“IGPM”), by counsel, and moves the Court to dismiss Plaintiff’s Complaint for failure to state a claim upon which relief can be granted pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, for the reasons set forth in its Memorandum of Law filed contemporaneously herewith.

Respectfully submitted,

IMAGE GUIDED PAIN
MANAGEMENT, P.C.

By: /s/ Michael P. Gardner

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*Counsel for Defendant Image Guided Pain
Management, P.C.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 26th day of February 2013, a true and exact copy of the foregoing was filed with the Clerk of the Court using the CM/ECF filing system, thereby providing electronic notice to jtravers@millerfirmllc.com, mmiller@millerfirmllc.com, and will@moodyrrlaw.com, counsel for plaintiff, and to rebecca.herbiger@bowmanandbrooke.com, counsel for defendant NECC.

/s/ Michael P. Gardner